

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,  
INDIANA, WILL HOLD A REGULAR COUNCIL MEETING IN THE THIRD  
FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON  
WEDNESDAY, OCTOBER 24, 2007 AT 7:30 P.M.**

The meeting of the **New Albany City Council** was called to order by President Larry Kochert at 7:32 p.m. The meeting opened with the Lords Prayer and the Pledge of Allegiance.

**MEMBERS PRESENT:** Council Members Mr. Coffey, Mr. Schmidt, Mr. Price, Mrs. Crump, Mr. Gahan, Mr. Blevins, Mr. Messer, Mr. Zurschmiede and President Larry Kochert.

**OTHERS:** Council Attorney Jerry Ulrich and City Clerk Marcey Wisman.

**ALSO:** Mayor James Garner and Board of Works member Matt Denison

**ROLL CALL:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mrs. Crump moved to approve the public hearing minutes from September 14th, Mr. Messer, all voted in favor.**

**Mrs. Crump moved to approve the work session minutes from October 1st, Mr. Coffey, all voted in favor.**

**Mr. Messer moved to approve the regular meeting minutes from October 1st, Mr. Gahan, all voted in favor.**

**APPROVAL OF CF-1 FORMS:**

**COMMUNICATIONS – PUBLIC:**

**COMMUNICATIONS – CITY OFFICIALS:**

**COMMUNICATIONS – MAYOR:**

**COMMITTEE REPORTS:**

**APPOINTMENTS:**

**Mr. Kochert** stated that the council had three candidates for the stormwater Board member position; Mr. Nathan Grimes, Ms. Valla Ann Bolovschak and Mr. Brad Kessans. He called for nominations.

**Mr. Zurschmiede nominated Mr. Nathan Grimes, Mr. Messer second.**

**Mr. Price nominated Ms. Valla Ann Bolovschak, Mr. Schmidt second.**

**Ms. Bolovshak** approached the council and informed them that her unique skill is that she is the type of person who gets things done and works to get to the bottom of issues. She stated that as the appointee that she would work for the council. She does not believe that a council member should have to attend the storm water board meeting that it should be the appointed individual's responsibility to report to the council. She read letters of recommendation for her appointment to the storm water board which are attached hereto and made a part thereof.

**Mr. Coffey nominated Mr. Brad Kessans, Mr. Messer second.**

**Mr. Kochert** called for the vote.

**After the first vote Mr. Grimes received 4 ayes and 5 nays, Ms. Bolovschak received 3 ayes and 6 nays and Mr. Kessans received 3 ayes and 6 nays.**

**Mr. Kochert** called for a second vote due to no candidate receiving a majority vote.

**After the second vote Mr. Grimes received 4 ayes and 5 nays, Ms. Bolovschak received 3 ayes and 6 nays and Mr. Kessans received 4 ayes and 6 nays.**

**Mr. Kochert** stated that they would again vote due to no candidate receiving a majority vote, but that they would drop Ms. Bolovschak from the vote due to receiving the lowest number of votes.

**In the final vote Mr. Grimes received 3 ayes and 6 nays and Mr. Kessans received 5 ayes and 4 nays and was named the new member of the Storm Water Board.**

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS:                      READING**

R-07-36	Resolution Concerning Statements of Benefits for PAAR, LLC by the Common Council of the City Of New Albany	Coffey
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**Mr. Coffey moved for the reading of R-07-36, Mr. Price second, all voted in favor**

**Mr. Price** asked about lowering it five years.

**Mrs. Crump** agreed that they need to get away from 10 year tax abatement for equipment.

**Mr. Coffey** asked Mr. Leddbetter how reducing this would affect his business.

**Mr. Gahan** asked if they are changing the policy tonight.

**Mr. Rosenbarger** stated that they have in the past lowered equipment tax abatements to five years and real property abatements for 10 years.

**There was a lengthy discussion regarding the effect of tax abatement on property taxes.**

**Mr. Zurschmiede** asked Mr. Leddbetter if he is reading correctly that this expansion will increase his work force by 4 employees at \$30,000.

**Mr. Leddbetter** stated that it will be at least 4 employees.

**Mr. Zurschmiede** stated that he believes that we need to support our local businesses that want to expand in this City. He knows a lot of people that would love to have a \$30,000 a year job.

**Mr. Price** stated that the State Board of Accounts told them that the TIF areas and tax abetments are what killing them so what do they do about that issue.

**Mr. Gahan** stated that this is a business that is exclusive to New Albany; they aren't a transplant or anything like that. They have grown in New Albany and they would like to continue to do so.

**Mr. Coffey** stated that in his opinion they are going to have to stop giving abetments on equipment at all because if they want to make it in the business they need to keep up with

their competitors. He explained that if it is for real property he has not problem voting for it but he will no longer vote for equipment abetments.

**Mr. Blevins** stated that if they don't help their local businesses out they will just move out and so they need to take care of them.

R-07-37	Resolution Concerning Statements of Benefits for Custom Plywood, Inc., By the Common Council Of the City of New Albany	Schmidt
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**Mr. Schmidt moved to amend the abatement period to 5 years, Mr. Price second, the amendment passes with five ayes from Mr. Coffey, Mr. Schmidt, Mr. Price, Mrs. Crump and Mr. Kochert, and four nays from Mr. Gahan, Mr. Blevins, Mr. Messer and Mr. Zurschmiede.**

**Mr. Schmidt moved for the reading of R-07-37 as amended, Mr. Coffey second, all voted in favor**

**Mr. Gahan** asked Mr. Leddbetter to describe the equipment for the council

**Mr. Leddbetter** explained that it is a plywood press that takes 4 people to run and cost \$250,000.

R-07-38	Resolution Concerning Statements of Benefits for Lukemeier Industrial Mold & Machine Co., Inc., Dbalimmco, Inc., By the Common Council Of the City of New Albany	Crump
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**Mrs. Crump moved for the reading of R-07-38, Mr. Coffey second,**

**Mr. Price made a motion to amend the abatement period to five years, Mr. Schmidt second,**

**Mrs. Crump withdrew her motion,**

**Mr. Price withdrew his second,**

**This item was tabled until the next meeting.**

A-07-29	An Ordinance Amending Ordinance No. A-06-38 Setting Salaries for the Year 2007 for Non- Bargaining Unit Employees	Gahan 1
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**Mr. Gahan moved for the first reading of A-07-29, Mr. Coffey second, all voted in favor**

**Mr. Rosenbarger** explained that this position is paid through the Parks Department.

**Mr. Coffey** stated that is what CDBG money is for.

G-07-14	Common Council of the City of New Albany and Ordinance Dividing the City into Six Districts Pursuant to the Provisions of I.C. 36-4-6-3	Price 1
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**Mr. Price moved for the first reading of G-07-14, Mr. Schmidt second, all voted in favor with the exception of Mr. Zurschmiede who voted no.**

Z-07-19	Ordinance Amending the Code of Ordinances of New Albany, Indiana, Title XV, Chapter 156 (Docket P-16-07 – Scott Hannah (Chaudry))	Zurschmiede 1
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**Mr. Zurschmiede moved for the first reading of Z-07-19, Mr. Coffey second, all voted in favor.**

**Mr. Chuck Murphy** presented the proposal for Gibraltar Place. He explained that it is made up of three different components; one being a restaurant/retail component, second being an office building component, and the third being condos. He stated that they have removed one office building upon request of the city Plan Commission. He explained that there will be a lake (detention and retaining) with a walking path. He stated that they are in the process of needing to get approval from IDEM and the Corp. of Engineers but before they go into that lengthy process they wanted to bring it to the council to get their approval before spending a large amount of money.

Z-07-17            Ordinance Amending the Code of Ordinances of New    Zurschmiede2 &3  
Albany, Indiana, Title XV, Chapter 156 (Docket  
A-02-07 – Carol and Terry Shope)

**Mr. Zurschmiede moved for the second and reading of Z-07-17, Mr. Schmidt second, the ordinance did not pass.**

Z-07-18            Ordinance Amending the Code of Ordinances of New    Zurschmiede2 &3  
Albany, Indiana, Title XV, Chapter 156 (Docket  
A-03-07 – Riverman Tract)

**Mr. Zurschmiede moved for the second and third readings of Z-07-18, Mr. Messer second, all voted in favor with the exception of Mr. Blevins who voted no. Bill Z-07-18 became Ordinance Z-07-47.**

**Mr. Gahan** asked what brought this about.

**Mr. Rosenbarger** explained that the owner of this property asked that this be included in the City's fringe area because a portion of the land is in the fringe area and the rest is in the county which puts him under two different jurisdictions.

**Mr. Coffey** stated that once the ordinance is turned down it has to come back in a different form and he wanted to know why it came back as R-2 again.

**Mr. Rosenbarger** stated that R-2 is the lowest residential level that is mandated with sanitary sewers.

**Mr. Zurschmiede** stated they have to establish some type of zoning in this area.

**MISCELLANEOUS COMMUNICATIONS:** (public comments on non-agenda items)

**ADJORN:**

**There being no further business to be heard, the public hearing adjourned at 8:50 p.m.**

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Larry Kochert, President  
Common Council, City of New Albany

ATTEST: \_\_\_\_\_  
Marcey Wisman, City Clerk